

**REMARKS**

Claims 1, 2, 4, 8, 22, and 27-29 are all the claims pending in the application. Claims 3, 5-7, 9-21, 23, 24, and 26 have been withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to nonelected species. By this Amendment, Applicant is amending claims 1 and 28. Applicant requests that the Amendment should be entered as a matter of course because the amendment to claim 1 makes explicit what was previously inherent based on antecedence. The amendment to claim 27 merely corrects a formality.

On November 12, 2008, Applicant contacted the Examiner regarding the status of claim 27. The Examiner stated that claim 27 is rejected but failed to state the basis of the rejection of claim 27.

**Claim Rejections - 35 USC § 102**

*Claims 1, 2, and 4 are rejected under 35 U.S.C. 102(b) as being allegedly anticipated by Kashihara (US 5,742,317). Applicant respectfully traverses this rejection.*

**Claim 1**

Amended independent claim 1 recites, in part, “a halftone dot conversion section that forms the halftone dots having sizes according to the tone values”. The Examiner asserts that the “halftone dots” of the claimed invention is disclosed by the supercell matrix feature of Kashihara. Applicant respectfully disagrees with the Examiner’s position.

The supercell of Kashihara is disclosed by FIGS. 3 and 4 of Kashihara, and col. 10, line 50 of Kashihara, where:

the interpolation circuit 18 refers to the image signals of the peripheral pixels around a target pixel M and converts into signals a, b, c, and d in which the densities in the main scan and sub scan directions are twice as large as those of the image signal for the target pixel M.

The Examiner appears to interpret the supercell as an example of the “halftone dot” of the claimed invention. However, the “halftone dot” of the claimed invention is defined by “having sizes according to the tone values” as recited in amended claim 1. Therefore, the “halftone dot” of the claimed invention, by its dimensions, may correspond to each halftone dot appearing in a supercell. Assuming *arguendo*, even if the individual halftone dots in the supercell are interconnected and form a group, this group as a whole does not disclose the halftone dot of the claimed invention because the size of the entire group or supercell cannot change according to the tone values. Thus, Kashihara does not disclose or suggest “halftone dots having sizes according to the tone values”.

Because claim 1 is generic to the elected and non-elected species and is allowable for the reasons set forth above, we would request rejoinder of the withdrawn claims.

#### **Claim 2**

Claim 2 recites, in part, “the halftone dot conversion section always scatters the blanks of the drawing pixels about the halftone dots, at associated positions, respectively, *regardless of the tone values.*” The Examiner alleges that Kashihara would anticipate claim 2. Applicant respectfully disagrees with the Examiner’s position.

The Examiner asserts that, “FIG. 17 shows 4 blank pixels for all 16 tone values ranging 0-15. Kashihara states that the tone values range from 0 to 15 at column 11, line 9” discloses the above recited features. In Kashihara, in the case of an image of *a uniform tone*, the binarized result repeats *the same pattern*. Accordingly, the binarized dither patterns are *varied based on the tone value* and the fill pattern of Kashihara has non-filled blanks in areas that directly depend on the tone value. (See col. 16, lines 12-14 and lines 20-22). Thus, Kashihara fails to teach or suggest “the halftone dot conversion section always scatters the blanks of the drawing

pixels about the halftone dots, *at associated positions*, respectively, *regardless of the tone values*” as recited in claim 2 and the teachings of Kashihara are the complete opposite of claim 2.

Claim 27 is merely a more detailed embodiments of how to achieve the scatter *at associated points regardless of tone value*. Therefore, claims 2 and 27 are patentable over the prior art.

**Claim Rejections - 35 USC § 103**

*Claims 8 and 22 are rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Kashihara. Applicant respectfully traverses this rejection.*

**Claim 8**

The Examiner contends that Kashihara teaches plural conversion systems. However, each of the fill patterns of FIGS. 6, 17, and 20 relate to *alternative* embodiments. The apparatus of Kashihara would not include multiple fill patterns but, at best, *one* such pattern. The Examiner may not alter or combine embodiments without a basis to do so. Ex parte Beuthes (71 USPQ2d 1313, 1316, BPAI 2003).

**Claim 22**

For analogous reasons regarding the patentability of claim 1, claim 22 is also patentable over the prior art on rejoinder of all withdrawn claims due to our designation of claims 1 and 22 as generic.

**Claim Rejection - Indeterminate**

**Claim 27**

Claim 27 recites, in part, “a mask including turn-on points and turn-off points, wherein the turn-on points only permit the drawing pixels and the turn-off points only permit non-drawing pixels”. The Examiner has failed to provide any support or reasoning in the rejection of

claim 27. Furthermore, Kashiwara fails to teach or suggest any of the above recited claim features of claim 27. Accordingly, claim 27 is patentable over the prior art and Applicant respectfully requests the Examiner to withdraw the rejection of claim 27.

**Allowable Subject Matter**

*Claims 28 and 29 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.*

Applicants respectfully request that the rewriting of claims 28 and 29 be held in abeyance in view of Applicant's traversal of the prior art rejections.

**Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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